



LDU

Alan Day
3 Sandiland Crescent
Hayes, Bromley
Kent
BR2 7DP United Kingdom

United States Patent Office
PO Box 1450
Alexandria VA.22313-1450
USA

(This letter was faxed on the 14-05-06. please receive hard copy)

Dear Mr Kim

14-06-05

I would refer to your last communication regarding application/control number 10/760,160 Art unit 3752.

It would appear that the USA patent office is unsympathetic to individual inventor when comparing to the UK patent office. The UK patent office has only objected to claim 18. Which you have also objected as being anticipated by Hirota et al (6,375,019) I now agree that a vessel with a bulkhead and storage compartment has been anticipated by Hirota et al (96,375,019) and accept cancellation of this claim.

Claim 1 refers to a sealed and at least a partially evacuated chamber which is the key feature of the invention, as the invention is based on the fact that nature will not tolerate a vacuum. The reference to first and second ends in claim 2-17 is significant as it refers to the fact that the straw ends need to be temporary separate so that atmospheric pressure and the vacuum created in the straw bore are kept apart until time of activation.

I have discussed your objections with my UK patent agent who is familiar with the USA system; unfortunately their fee to amend claims and clarify specific patent points with yourselves amounts to a provisional cost of £ 2000. Due to my financial circumstances it is not possible for me to pay this sort of money and I would appreciate any help possible from you to sort out changes that will give me some sort of USA patent protection.

With regards to your request for a certified copy of the UK (Request for grant of patent) my patent agent notes that the claims priority from the British application no 0217660 filed on 11th August 2003 my patent agent informs me that although my British application number is consistent with my priority claim, my date is not. Application GB 0217660.0 was in reality filed on 30th July 2002. As that was more than one year prior to the USA filing date on 20th January 2004, a priority claim cannot be made. I am now presuming that the certified copy of the UK application is invalid and that I should cancel the priority claim based on the British application.

Again I would appreciate any help possible that you could offer to allow me to gain some form of USA patent protection.

Yours sincerely

Alan Day
Alan Day